



A handwritten signature in black ink, reading "Brian D. Lynch".

**Brian D. Lynch**  
**U.S. Bankruptcy Judge**

(Dated as of Entered on Docket date above)

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

In re:

Thomas James Weems and  
Brittany Nicole Weems,

Debtors.

Case No. 22-40819-BDL

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Meagan Deck and John Deck, a marital  
community,

Plaintiffs,

Adversary No. 22-04023-BDL

v.

**Order Sanctioning Counsel**

Elite Custom Homes and Construction,  
LLC, a limited liability company;  
Thomas James Weems and Brittany  
Nicole Weems, a marital community,

Defendants.

On December 19, 2023, the Court entered an order to show cause directed at Benjamin Ellison, counsel of record for Defendants Thomas and Brittany Weems (the “OSC”). ECF No. 22. The OSC details Mr. Ellison’s inadequate representation related to a motion for summary judgment filed by Plaintiffs Meagan and John Deck. *Id.*

1       On January 10, 2024, the Court held a hearing and required Mr. Ellison to show  
2       cause, if any, as to why the Court should not sanction him for the reasons described in  
3       the OSC. At that hearing, Mr. Ellison was represented by David Smith, counsel for  
4       Thomas and Brittany Weems in their main bankruptcy case. The Court made an oral  
5       ruling on the record, which is incorporated herein by reference.

6       Therefore, it is hereby

7       **ORDERED** that Mr. Ellison is sanctioned in the amount of \$1,000.00 (the  
8       “Sanction Amount”). Mr. Ellison must pay the Sanction Amount to Tacomaprobono  
9       Community Lawyers within thirty (30) days of the entry of this order. Tacomaprobono  
10      Community Lawyers’ mailing and web addresses are as follows:

11               Tacomaprobono Community Lawyers

12               621 Tacoma Avenue South

13               Suite 303

14               Tacoma, WA 98402

15               <https://tacomaprobono.org/>

16      It is further

17      **ORDERED** that upon payment, Mr. Ellison must file a declaration with the Court  
18      establishing proof of payment.

19                               ///End of Order///